IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

IN RE MICROSOFT CORP. ANTITRUST LITIGATION. MDL Docket No. 1332

Hon. J. Frederick Motz

This Document relates to:

Burst.com, Inc. v. Microsoft Corp.,

Civil Action No JFM-02-cv-2952

MOTION SEEKING LEAVE TO FILE UNDER SEAL

Pursuant to the Amended Stipulated Protective Order Re Competitor Cases entered by the Court on October 31, 2002, Plaintiff Burst.com hereby seeks leave to file under seal Plaintiff Burst.com, Inc.'s Reply to Microsoft's Memorandum in Opposition to Burst.com's Third Motion to Compel Microsoft to Provide Basic Discovery Concerning Its E-mail Destruction, which references material designated as "Confidential" or "Highly Confidential" under the protective order.

DATED: May 17, 2004

SPENCER HOSIE (Ca Bar # 101777) BRUCE J. WECKER (Ca Bar # 078530) JOHN BURRITT McARTHUR (Ca Bar # 159793; Texas Bar #13325650) GEORGE F. BISHOP (Ca Bar # 89205) JAMES T. McCARTT (Ca Bar # 121983) HOSIE, FROST, LARGE & McARTHUR One Market, Spear Street Tower, 22nd Floor San Francisco, CA 94105 Telephone: 415-247-6000

ROBERT YORIO (Ca Bar # 93178)) CARR & FERRELL, LLP 2200 Geng Road Palo Alto, CA 94303 Telephone: 650-812-3400

/_S/ By Spencer Hosie Attorneys for Plaintiff Burst.com, Inc.